
HOUSE RESOLUTION

REQUESTING THE ENVIRONMENTAL ADVISORY COUNCIL AND OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT TO COLLABORATE WITH THE UNIVERSITY OF HAWAII TO UPDATE CHAPTER 343, HAWAII REVISED STATUTES, TO REFLECT ALL FACTORS THAT SHALL BE CONSIDERED FOR THE ENVIRONMENTAL IMPACT STATEMENT PROCESS, AND REQUESTING THE OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO HOLD PUBLIC FORUMS ON THE FUTURE USE OF STATE LANDS CURRENTLY LEASED TO THE MILITARY.

1 WHEREAS, the United States Army's sixty-five-year lease of
2 approximately twenty-three thousand acres on Hawaii Island is
3 scheduled to expire in August 2029; and
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5 WHEREAS, different uses of those lands may be subject to
6 the public review process set forth in Chapter 343, Hawaii
7 Revised Statutes, regarding environmental impact statements; and
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9 WHEREAS, historically, the military has contracted with
10 private entities to study and draft the necessary documents to
11 comply with the requirements of Chapter 343, Hawaii Revised
12 Statutes; and
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14 WHEREAS, these private entities have been incentivized to
15 find that the proposed use of the land, which prompted
16 compliance with Chapter 343, Hawaii Revised Statutes, would have
17 "no significant impact" because making that finding would
18 encourage the military to use the services of the private entity
19 in the future; and
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21 WHEREAS, the entity determining whether the proposed use of
22 the land would result in a significant impact should instead be
23 an independent party; and
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25 WHEREAS, Chapter 343, Hawaii Revised Statutes, should be
26 amended to require a process that requires independent review in



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1 consideration of Hawaiian culture, engineering, the environment,
2 design, and other concerns; now, therefore,

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4 BE IT RESOLVED by the House of Representatives of the
5 Thirty-second Legislature of the State of Hawaii, Regular
6 Session of 2023, that the Environmental Advisory Council and
7 Office of Planning and Sustainable Development are requested to
8 collaborate with the University of Hawaii to update Chapter 343,
9 Hawaii Revised Statutes, to reflect all factors that shall be
10 considered for the environmental impact statement process; and
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12 BE IT FURTHER RESOLVED that the Environmental Advisory
13 Council and Office of Planning and Sustainable Development are
14 requested to collaborate with all applicable departments,
15 offices, and centers of the University of Hawaii in updating
16 Chapter 343, Hawaii Revised Statutes, including the
17 Hawaiiinuiakea School of Hawaiian Knowledge, College of
18 Engineering, College of Tropical Agriculture and Human
19 Resources, Department of Natural Resources and Environmental
20 Management, and School of Architecture; and
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22 BE IT FURTHER RESOLVED that to prevent incentivizing
23 privately contracted entities from making findings of "no
24 significant impact" or other findings beneficial to the
25 applicant, the Environmental Advisory Council and Office of
26 Planning and Sustainable Development are requested to include in
27 its proposed legislation, provisions authorizing the Office of
28 Planning and Sustainable Development or the Department of Land
29 and Natural Resources to, when necessary, appoint an independent
30 contractor or another neutral party to prepare the environmental
31 assessment and, if necessary, the environmental impact
32 statement; and
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34 BE IT FURTHER RESOLVED that the Environmental Advisory
35 Council and Office of Planning and Sustainable Development are
36 requested to submit a draft report of their findings,
37 recommendations, and proposed legislation to the Legislature no
38 later than twenty days prior to the convening of the Regular
39 Session of 2024; and
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41 BE IT FURTHER RESOLVED that the Environmental Advisory
42 Council, Office of Planning and Sustainable Development, and the



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1 Department of Land and Natural Resources are requested to gather
2 public comments on the report and proposed amendments to Chapter
3 343, Hawaii Revised Statutes, by:

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5 (1) Posting the report and proposed amendments to
6 Chapter 343, Hawaii Revised Statutes, on the
7 Department of Land and Natural Resource's website and
8 accepting written comments by email or other electric
9 means; and

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11 (2) Holding at least one public forum in each of the
12 counties; and
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14 BE IT FURTHER RESOLVED that by 2025, the Environmental
15 Advisory Council, Office of Planning and Sustainable
16 Development, and the Department of Land and Natural Resources
17 are requested to hold public forums in communities near state
18 lands that are currently leased to the military to solicit
19 community input on the future use of those lands; and
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21 BE IT FURTHER RESOLVED that the Environmental Advisory
22 Council and Office of Planning and Sustainable Development are
23 requested to consider the public comments regarding the report
24 and proposed amendments, consider the public comments regarding
25 the future use of the state lands that are leased to the
26 military, and submit a final report of their updated findings
27 and recommendations and proposed legislation to the Legislature
28 no later than twenty days prior to the convening of the Regular
29 Session of 2025; and
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31 BE IT FURTHER RESOLVED that certified copies of this
32 Resolution be transmitted to the Chairperson of the
33 Environmental Advisory Council, Director of the Office of
34 Planning and Sustainable Development, and the President of the
35 University of Hawaii, who is then requested to transmit copies



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1 to the heads of the various departments, offices, and centers of
2 the University of Hawaii mentioned in this Concurrent
3 Resolution.

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OFFERED BY:



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